

AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 10 2001

Returned to applicant for correction JAN 03 2002

Corrected application filed JAN 14 2002

Map filed JAN 14 2002

The applicant **PENOYER FARMS, LTD** hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit No. 36459 Cert 13498**

1. The source of water is **Underground**
2. The amount of water to be changed **1.88 cfs, not to exceed 625.0 AFA**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **Being situated within the NW¼ NE¼ of SEC. 33, T.3S., R.55E., M.D.M., The NE Cor. of said Sec. Bears N. 82° 49' 05" E. a distance of 2294.96 feet, said Sec. Cor. is a 3" B.L.M. B.C. dated 1964**
6. The existing permitted point of diversion is located within **SW¼ NE¼ of Sec. 33, T.3S., R.55E., M.D.M., whence the N¼ Cor. of said Sec. 33 bears N. 44° 21' 48" W. a distance of 1851.88'**
7. Proposed place of use **Not Changed**
8. Existing place of use **NE¼ of Sec. 33, T.3S., R.55E., M.D.M., total number of Acres to be Irrigated are 125.00**

31.1 AC	NW¼ NE¼
30.6 AC	NE¼ NE¼
31.5 AC	SW¼ NE¼
31.8 AC	SE¼ NE¼
125.0 AC	TOTAL
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **A Well will be drilled and cased to a depth sufficient to service a rotary pivot system. Lines will also be installed to supply the pivot.**
12. Estimated cost of works **\$35,000.00**
13. Estimated time required to construct works **6 months**
14. Estimated time required to complete the application of water to beneficial use **N/A**
15. Remarks:

By **James J. Owens, PLS, Agent**
s/James J. Owens
P. O Box 540
Pioche, Nevada 89043

Compared my/cmf dl/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 36459, Certificate 13498 is issued subject to the terms and conditions imposed in said Permit 36459, Certificate 13498 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.88 cubic feet per second, but not to exceed 625.0 acre-feet annually and not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 26, 2004

Proof of completion of work shall be filed on or before:

October 26, 2004

Water must be placed to beneficial use on or before:

September 26, 2005

Proof of the application of water to beneficial use shall be filed on or before:

October 26, 2005

Map in support of proof of beneficial use shall be filed on or before:

October 26, 2005

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office

this 26th day of September, A.D. 2003



State Engineer

Completion of work filed NOV 24 2004

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

